

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
No. 5:16-CV-47-GCM

ROBERT M. WHITE,)
)
)
Plaintiff,)
)
v.) ORDER
)
)
NANCY A. BERRYHILL,)
Acting Commissioner of)
Social Security,)
)
Defendant.)
_____)

Plaintiff's counsel filed a second motion for approval of attorney's fees under § 406(b) of the Social Security Act, in the amount of \$7,904.00. Plaintiff's counsel was previously awarded fees in the amount of \$25,000 (Doc. No. 20). The SSA subsequently awarded the Plaintiff's son past-due benefits in the amount of \$79,040.00, prompting counsel to file this second motion for fees. Defendant filed a response neither supporting nor opposing the fee request, but stating that under *Gisbrecht v. Barnhart*, 535 U.S. 789 (2002), it is the duty of the Court to determine a reasonable fee. After considering the factors identified by the Fourth Circuit in *Mudd v. Barnhart*, 418 F.3d 424, 428 (4th Cir. 2005), the Court finds the fees requested to be reasonable.

IT IS THEREFORE ORDERED that Plaintiff's counsel be awarded fees under 42 U.S.C. § 406(b) in the amount of \$7,904.00.

Signed: October 9, 2019



Graham C. Mullen
United States District Judge

